

October 9, 1967

CONGRESSIONAL RECORD — SENATE

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Los Angeles Times, Oct. 8, 1967]

SMOG: THE WORSENING CRISIS

"Los Angeles residents have the choice of driving the kinds of autos they now own with current fuels—or breathing. But they won't have the choice for long."

"Already some 10,000 persons are moving from the Los Angeles Basin annually because of air pollution," declared Dr. Joseph F. Boyle, president of the Los Angeles County Medical Assn.

His grim warning, given at a Los Angeles hearing of the Assembly Transportation and Commerce Committee, was by far the strongest statement the medical association has made on the threat of air pollution.

"A critical and worsening health crisis exists in Los Angeles County despite all efforts for its control," Dr. Boyle told the legislators. "The pending crisis is imminent and demands that every appropriate action, however drastic be taken immediately. No further delay can be tolerated with safety."

His pessimism was echoed by the local and state county's air pollution control officer, Louis J. Fuller and by Eric Grant, executive officer of the State Motor Vehicle Pollution Control Board.

Both officials warned that California's present auto emission standards are inadequate and must be strengthened to cope with the continuing increase of motor vehicles.

The "adverse" level of oxidant, or ozone, has been exceeded virtually every day since 1956 in the county, Fuller said.

In terms of the definition by the State Board of Public Health, the Los Angeles Basin is continually under a "substantial threat from air pollution."

Fuller also offered new substantiation for his charge that the smog control devices installed on California cars since 1966 do not meet even the present standards requirements.

He quoted from a report made last March by the State Department of Public Health, which stated: "Projection of surveillance data shows that as vehicle mileage accumulates, the average emissions from vehicles with exhaust control systems will not meet the current standards of 275 parts per million (ppm) hydrocarbons and 1.5 per cent monoxide."

But even this much progress in combatting smog would not have been achieved had not California and particularly Los Angeles County, pioneered in the setting—and enforcing—of standards of air purity.

It seems incredible, therefore, that an effort is being made in Congress to deny California the right to take the stronger action needed to meet its pending crisis in air pollution.

Although the Senate unanimously excluded California from the federal preemption of auto emission standards, the House Commerce Committee decided no exemption should be made.

Any change in the federal standards—which are the same as California's presently inadequate requirements—could only be made by the secretary of health, education and welfare if the House committee has its way.

"Unless the special section is restored," said Grant, "it will be an outright violation of the concept of states' rights and an apparent recognition by Congress that the interest of Detroit auto makers prevails over the interests of California's 20 million people."

If the smog crisis is to be averted in urban California, the allowable amount of hydrocarbons from autos must be reduced to at least 180 ppm, as presently scheduled. Every additional car makes the problem worse, and the number of vehicles is expected to double by 1980.

A spokesman for the automobile industry told the Assembly committee that it is a "difficult technical job" to meet California current standards. No doubt it is, but as Dr. Boyle warned, no further delay can be tolerated with safety.

The health and welfare of the Los Angeles Basin dare not be imperiled by any weakening of the fight for clean air. Emission control devices must be made to meet present standards, and more stringent standards must be adopted as soon as feasible without federal interference.

Despite attempts at control, Los Angeles County suffered three first-stage smog alerts in succession at the end of August, during which the ozone level was the highest in 10 years.

How many persons will have to leave the Los Angeles Basin to find breathing room?

County smog chief Fuller offers little encouragement.

"I have previously stated that the possibility of a major catastrophe from air pollution in this basin was quite remote," he concluded. "I must now say that on the basis of present data, my opinion has changed. There is no margin for error."

[From the Los Angeles Evening and Sunday Herald Examiner, Oct. 2, 1967]

THE SMOG CAUSE

It is the plain duty of the California congressional delegation—Republicans and Democrats alike—to undo the harm done by the House Commerce Committee in approving a national clean air bill.

The committee eliminated from the Senate-passed version a provision which would have permitted California to strengthen its auto emission standards beyond those set for all the other states.

The reason behind the original California exemption is that California, with one of the nation's worst smog problems, already has adopted a stringent antipollution law of its own.

The exemption was removed, however, when the House committee accepted an amendment (from Rep. John Dingell, D-Mich.) which would impose national standardization unless the secretary of health, education and welfare authorizes tougher measures.

Warren M. Dorn, chairman of the Board of Supervisors' Air Pollution Control Committee, sees it this way:

"This means that Los Angeles County... can have no stricter requirements for control than some wind-swept prairie town unless the secretary of health, education and welfare approves."

In other words, the House committee action has put the fate of Los Angeles smog control in the hands of one man. We believe that it should be fixed in law and that the California delegation should rally to restore the original exemption.

[From the Los Angeles Times, Aug. 1, 1967]

POLLUTION: SENATE CLEARS THE AIR

"No one has the right to use the atmosphere as a garbage dump," declared the U.S. Senate, as it unanimously approved new and stronger air pollution control legislation.

The Senate bill gives the Department of Health, Education and Welfare additional authority to set clean air standards and to implement them if local and state officials fail to act. A total of \$700 million was also authorized for research and demonstrations programs over the next three years.

Although the Administration sought the establishment of national emission standards for certain pollutants, the Senate decided to let the states set their own requirements—within a 15-month period, after which the federal government would move in.

The bill, however, went beyond the Administration's request by giving HEW the

power to seek a court injunction against any source of pollution which creates an "imminent and substantial" danger to public health.

California won a highly important exemption that will permit it to impose auto emission standards that are more stringent than the national requirements. Approved at the request of Sen. George Murphy (R-Calif.), the exemption recognizes the pioneering efforts in auto smog control by California and our intention to require tougher standards in 1970.

This year every new car produced in Detroit will have exhaust control devices that meet the standards heretofore only required for autos sold in California.

The House should act without delay on the new legislation and should resist any attempts to weaken an essential program for cleaner air throughout the nation.

[From the Santa Rosa Press Democrat, Aug. 6, 1967]

AIR POLLUTION

That was a good job Sen. George Murphy did in persuading the Senators to include a specific exemption of California from standards to be set by the Office of Health Education and Welfare controlling air pollution by motor vehicles.

It is unusual legislation that exempts one state from something that applies to all others. But in this case there was a good reason.

"I couldn't sit by and allow lower standards to replace those deemed necessary by our state officials," Sen. Murphy explained.

Essentially, the clean air bill passed by the Senate authorizes the Secretary of Health, Education and Welfare to divide the country into air quality control regions and give states in each region 15 months to accept the federal standards before the Department takes over.

Because of both experience and sheer necessity, the California standards on pollution of air by motor vehicles are both strict and effective.

Federal standards, when and if adopted, may be equally good. But if they are not, the California standards will not be weakened as a result. Sen. Murphy has seen to that.

[From the San Rafael (Calif.) Independent Journal, July 29, 1967]

MARIN PLAYED BIG ROLE IN AUTO SMOG CONTROL

The Air Quality Act of 1967, now before Congress, represents a nationwide war against air pollution, with cooperation among federal, state, and local agencies.

The bill would authorize the Secretary of Health, Education and Welfare to divide the country into control regions, establish criteria for controlling pollutants, give the states up to 15 months to accept the air quality standards, and authorize the Secretary of HEW to implement standards if states failed to do so.

At the insistence of Sen. George Murphy, California would retain the right to enact its own control on motor vehicle pollution because acute car smog problems in the state require stricter controls.

California has led the nation in efforts to combat air pollution. It entered the auto smog control picture in 1960 with establishment of its Motor Vehicle Pollution Control Board.

And within California, Marin County played no small role in the long and often controversial process of equipping automobiles with anti-smog devices.

Back in 1964 when the first crankcase devices were ordered for used cars, two Marin County residents spearheaded a determined opposition to the devices.

Lester E. Jennings Jr. and Lars Williamson, mechanics by avocation, charged that

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crankcase devices installed on used cars would be difficult to maintain in top condition, and would be harmful to the car engine.

Their contention was that the little guy, those who owned older model cars, should not be saddled with the extra cost of crankcase devices and the risk of a damaged motor.

They insisted that the responsibility should rest, not on the little car owner, but on the car manufacturers in Detroit.

Jennings and Williamson made many a trip into Sacramento to attend committee hearings and hammer away with their message.

Bearing the brunt of their attack was another former Marinite, Donald A. Jensen, who had been Marin County administrator before taking over as executive officer of the State Motor Vehicle Pollution Control Board.

Jensen and the car-pollution control board faced increasing resistance from among used car owners. A law that finally went through the Legislature was considerably less stringent than that which had been proposed originally.

Because of persistent complaints on the high cost of installation and maintenance, a reform measure enacted in 1965 gave further relief to used car owners. Requirement of crankcase devices on 1955 and later models was made to apply only in 10 smog counties and only when car ownership was transferred.

The bulk of the attention thereafter focused on new models, with manufacturers required to install crankcase devices on cars after 1963, and exhaust devices on cars sold in California after 1966.

Jennings and Williamson and other opponents of crankcase devices for used vehicles did not succeed in halting the devices altogether. But they did succeed in getting relief for the older car owners and in focussing attention on the responsibility of the car manufacturer.

Jensen, who took quite a buffeting as executive officer of the state car pollution control board, maintained his composure and humor throughout the exhausting committee hearings.

Jensen has since moved on into the private auto manufacturing business, joining Ford Motor Co. as executive engineer in vehicle emissions and regulations.

In his new job Jensen is concerned primarily with improved crankcase devices and combustion system to reduce pollution from automobile emissions.

Thus, Marinites and former Marinites have been in the forefront on the fight to control auto smog, as California groped its way forward as pioneer in the field of air pollution control.

We take pride in the fact that the sound and fury created in Marin led to practical and meaningful legislation in Sacramento and is resulting in legislation on the federal level.

THE FEDERAL SMOG LAW

(By Karth Hintz, broadcast September 29 and 30, 1967, station KNXT)

Southern California faces the threat of a serious delay in the fight against smog.

A Federal air pollution control bill now before Congress may strip California of its authority to establish strict controls for automobiles.

As you know, California has pioneered in smog control legislation. Progress at the national level lagged far behind. But Congress is now considering ways to bring the national smog law up to standards already in effect in California.

That's all to the good, but California is moving beyond that point. The State has a target date of 1970 for controls that would double the effectiveness of the present automobile devices.

That schedule could be brought to a halt under the national smog bill as amended this week. The House Commerce Committee removed the Murphy Amendment, introduced by Senator Murphy, which would permit California—California alone—to impose stricter rules than would be contained in the national law.

As the proposed law reads now, if the State of California wanted to impose standards tougher than the Federal law, we would have to ask permission of the Health, Education and Welfare Department.

Such a rule could involve prolonged hearings by the Federal bureau. California's smog control schedule would be tied up in red tape that stretched all the way back to Washington.

Southern California needs the Murphy Amendment. We've led the way in smog control for 20 years, and we can continue to set the pace if Washington does not apply the brakes.

NEGOTIATED SETTLEMENT OF VIETNAM WAR

Mr. MORSE. Mr. President, Negotiation Now is meeting in Washington to organize its friends and rally followers behind a negotiated end to the Vietnam war.

This group has already done an outstanding job of educating the American people to the fact that there are alternatives to our present course in Vietnam. I extend to them my good wishes for a successful meeting.

That the war must be brought to a negotiated settlement seems to me to be the only reasonable course the American people can expect from their Government. Some recent news stories have purported to represent the administration as believing that North Vietnam will have made a great psychological gain and that negotiations more favorable to it will flow from a GOP victory. Therefore, this rationale runs, a defeat of the Johnson administration will be viewed as a victory for Ho Chi Minh and the American people must not allow that to come to pass.

The trouble with this theory is that it assumes the 1968 election is the one North Vietnamese consider the vital one. In my opinion, that is very doubtful. A much more practical and logical course for North Vietnam to be following would be to look to the 1972 election as being the key one.

Ho Chi Minh must appreciate that it would be unusual for the American people to turn out of office a President who seeks reelection. But anyone who can read the Constitution knows that this administration must leave office in 1972, and that it will be succeeded by a new President and a new administration.

Unless this administration finds a way to change its military policy in Vietnam, and seek a negotiated settlement, I see nothing else it can offer the American people except 5 more years of growing war and growing casualty lists; for if North Vietnam has sustained a war effort under the heavy air attack and overwhelming firepower the United States has showered upon it for 2 years, it is hard to see why it cannot sustain such a war for another 5 years—especially when the probabilities are increasing that it will get more and more aid from its allies, China and Russia.

I suggest to the President that 1968 is not the year of decision for North Vietnam, but 1972. I see no reason why North Vietnam, or the Vietcong should surrender to a reelected Johnson administration, when it knows that by 1972, a change in American Government has to take place.

That is why I warn the American people against the notion that if they just hold out through November of 1968, peace can come on our terms. I warn them that unless they insist on prompt negotiations, and upon deescalation of the military scope of the war, it more than likely will proceed on its present course of steady enlargement for some 5 more years at the very least.

That is why I think the work of Negotiation Now is so important. It is helping to bring an understanding to the average American that a war of attrition can be just as costly to us as to the enemy, and that time is not necessarily on our side. In fact, the longer the war has continued, the more it is costing us in both manpower and money, plus the growing erosion of American leadership in other parts of the world.

NE GREECE

Mr. MORSE. Mr. President, the press tells us that the Greek junta has released from house arrest an elderly leader of Greek political affairs, George Papandreou. It has also undertaken to consult with his son, Andreas Papandreou, on economic problems facing Greece, even though Andreas Papandreou is in jail awaiting trial on charges of treason.

Richard Eder, reporting from Athens for the New York Times, describes these actions as conciliatory moves the junta has made to the Center Union party.

From experience, one has to conclude that whatever else motivates these "conciliatory moves," at least one motivation is the desire of the U.S. Embassy to be able to depict the junta as deserving of a resumption of full U.S. military aid. All the way from Saigon to Athens, our diplomatic policy is concerned far more with appearances than with substance, for behind appearances the real interests of American military power can be advanced in any way we see fit.

I very much regret that the administration seems to have decided to resume our military support of this group of militarists, just as soon as a facade of reasonableness is constructed in front of their iron-fisted rule. Let no one in this country, or in Greece, be fooled about the why we send this aid to Greece. It has nothing to do with democracy; nothing to do with freedom of the Greek people; nothing to do with advancing the cause of personal freedom through constitutional limitations on government action. We do not stand for those things any more in Greece, just as we do not stand for them in many parts of the world.

The only object of our aid program in Greece is to keep a strong pro-American military government in power that will accede to whatever requests the Pentagon makes of it, especially with respect to NATO.

As one who supported the program of aid to Greece and Turkey when it was announced by President Truman in 1948, I can only say that those of us who believed that program would lead Greece, Turkey, and the United States to peaceful progress have now found that we only got on a merry-go-round that comes back to the same place every year.

Greece has retrogressed politically; what economic progress she made with our billions of aid is being dissipated by the actions of the military dictatorship under the junta. If anything, Greece is now more threatened by economic and political upheaval than it was before our aid program started.

The country that only a few years ago was called a showcase for U.S. aid is now a showcase for the futility of U.S. aid, insofar as its contribution to political and economic growth is concerned.

Here the American taxpayers are supporting through a misguided administration, dominated by the military power of the Pentagon, the use of tax dollars to support a dictatorship in Greece; yet we have an administration that considers a \$70 billion defense budget—the largest in the history of the Republic—to be untouchable.

It is out of this budget that \$7½ billion saving should come, and thus avoid getting us into the very serious political issues that will develop, if the administration continues to insist upon yoking the American taxpayers with a 10-percent surtax charge.

But I do not doubt that the aid will be resumed in full. There will be another 20 years of heavy U.S. taxpayer contributions to Greece. But they will not have my support, for they will do no more for the well-being of the Greek people than have the last 20 years and \$3.5 billion worth of U.S. money which we have poured into Greece.

Here is a place where great savings can be made on behalf of the taxpayers. We have before us a public works bill at the present time on the floor of the Senate.

Let me respectfully point out to the administration that the expenditure of money for the benefit of our domestic economy is sorely needed by the American people in order to keep strong the greatest defense weapon we have; namely, the economic security of the Republic.

RECOGNITION OF SENATOR SMATHERS OF FLORIDA AT THE CLOSE OF MORNING BUSINESS TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that at the close of morning business on tomorrow, the distinguished junior Senator from Florida [Mr. SMATHERS] be recognized for not to exceed 30 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

PUBLIC WORKS AND ATOMIC ENERGY COMMISSION APPROPRIATIONS, 1968

The Senate resumed the consideration of the bill (H.R. 11641) making appro-

priations for certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Atlantic-Pacific Interoceanic Canal Study Commission, the Delaware River Basin Commission, Interstate Commission on the Potomac River Basin, the Tennessee Valley Authority, and the Water Resources Council, for the fiscal year ending June 30, 1968, and for other purposes.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CLARK. Mr. President, I am concerned, as I stated in connection with the amendment offered by the Senator from Delaware [Mr. WILLIAMS] a short while ago, about the failure to make any significant cuts in the public works and Atomic Energy Commission appropriation bill now pending before the Senate.

It is well known that I have been of the view that the fiscal crisis in this country is very serious indeed. It seems likely, unless the House Ways and Means Committee changes its mind, that we will not have a tax bill. We may be confronted with a deficit so huge that it will be necessary to sell some \$30 billion worth of U.S. Government bonds in the next calendar year.

Such an action on the money market is sure to cause very tight money, extremely high interest rates, and would slow down the normal growth of the economy.

It is likely also to have an inflationary effect, because of the immense cash flow which will be thrown into the economy as a result of the enormous deficit.

Last week I argued strenuously for substantial additional authorization for the poverty program; and I am very proud that I made that argument, because, as I said during the course of that debate, the problem with us is to put first things first. Where is our sense of national priorities?

We are confronted with very serious problems. The war in Vietnam, which is costing us \$2.5 billion a month and is costing hundred—indeed, thousands—of American lives and American casualties of the flower of our youth. Yet there seems no end to it. That war will cost, in the current fiscal year, practically the same amount as the anticipated deficit if there is no tax increase—namely, \$30 billion.

It has been one of my duties as a Member of the Senate to follow very closely both the poverty program and the education program; I serve as chairman on one and as a member of the other subcommittee of the Committee on Labor and Public Welfare charged with the processing of legislation in the poverty and educational area. To me these matters should have the highest possi-

ble priority. Therefore, I have supported, and will continue to support, all the authorization we are able to press through a reluctant Congress to see that every boy and girl in America gets the best possible education, and that something effective is done to improve the economic, social, and, indeed, educational status of the one-fifth of the Nation, almost 30 million Americans, who are ill-fed, ill-housed, and ill-educated.

One may well ask the question, how can one advocate increased appropriations in these social areas in the face of the deficit which confronts us? My answer is that the cuts have to be made in the less important matters, in programs of lower priority, in addition to cuts in the fat of the military appropriations requests.

With respect to the military, I have made as good a record as I could. When the appropriations bill was before the Senate, I tried to make a cut of something in excess of \$3.5 billion. I had only six votes in support of my amendment.

This morning I made a strong plea to the President not to spend the \$5 billion which it is anticipated will be spent in construction of an utterly inadequate anti-ballistic-missile system at a great cost to our taxpayers.

Now, in a far less dramatic setting, we are confronted by the public works and atomic energy appropriation bill. I was happy to support the Senator from Delaware in his effort to cut back the appropriations for public works by eliminating all the new starts for the Corps of Engineers. I shall not repeat the argument I made in that regard only a short time ago.

We come now to the Atomic Energy Commission. There the total of appropriations recommended for both operating expenses and construction is in the neighborhood of \$2.5 billion. In view of the strains placed upon our economy as a result of the costs of the war, I believe we must seek out and discover places to cut this item. I would be prepared to support cuts in the military research and development areas of the Atomic Energy Commission. I believe such cuts can be made with no prejudice to our national security.

In addition, they would signal to the Russians our desire for a downturn in the arms race, with mutual reductions in weaponry. But I have no illusions on that score. I am perfectly confident that my colleagues in the Senate would not support me in that regard.

So I return to the area of peaceful uses of atomic energy. I find that, under the heading of "Reactor Development," we appropriated last year a total of \$467,720,000. This is a huge sum for activities which, while desirable, are less essential to the well-being of our country than aid to our beleaguered cities and other programs which I could name. Moreover, they are expenditures which can have no possible impact on our military program.

Therefore, I would be prepared to support an amendment which would cut back the \$509,058,000 which the Senate committee has recommended in this area of peaceful reactor development to the

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figure of \$467,720,000, which was appropriated last year.

It is my understanding that the Senator from Delaware will propose such an amendment tomorrow. I intend to support it.

I would be prepared to support an even greater cut in this field, but to me it would seem unrealistic to hope that such a cut could be successfully pressed through the Senate.

Mr. President, I yield the floor.

Mr. BYRD of West Virginia. Mr. President, I have listened with interest to what the senior Senator from Pennsylvania has said. He has touched on a subject which should be the concern of every Member of this body—and of every American. We are being asked to increase the tax burden of the country by 10 percent. We are told that this is necessary to sustain our fighting forces in Vietnam. But if we are to ask the American people to make this sacrifice, we must be ready to stand before them with the firm and sincere reassurance that every penny we spend is in the national interest.

But economy cannot be the only measure of our decision. The distinguished Senator from Pennsylvania has raised the issue of the health and welfare of the American people. To build the civilian reactor plants for the production of electrical energy, as the AEC would have us do, is playing nuclear roulette with the future of this country.

I am moved to recall the words of W. A. Boyle, the president of the United Mine Workers union in his recent Labor Day address. He spoke of the 6,000 uranium miners condemned to a slow death by cancer, of the transport through our cities of deadly atomic waste, of the burial of this waste where it can pollute and has polluted the soil of this Nation with radioactive poisons. The Atomic Energy Commission, in its testimony before committees of this Congress, has admitted that it has not yet solved the problems of handling the deadly by-products of nuclear power.

Mr. President, if we give serious thought to what the president of one of this country's oldest and greatest unions has said; if we study what the AEC itself has unwittingly disclosed; if we listen to what the scientists tell us about the primitive state of our understanding of the nuclear arts—then we must, in all conscience subscribe to what the

senior Senator from Pennsylvania has said.

There will be plenty of time for this body to sanction the wholesale proliferation in this country of nuclear power—but only when the Atomic Energy Commission and the scientific community know precisely what they are about. Meanwhile, there are ample means, through the use of other energy-producing materials such as coal, to supply this country with all the electric power that it needs—and at a cost far lower than what the AEC can offer.

I would be the last man in this great body to deprive the Atomic Energy Commission of a single penny that would be devoted for research and development in instruments to guarantee this Nation's security. But I would be remiss in my duty if I did not stand behind the statement by the Senator from Pennsylvania. I submit that the interests of this country and of its people require us to question, and even limit, the civilian expenditures of the Atomic Energy Commission until such time as we know with absolute certainty that we are not taking a foolish and willful gamble.

I will join the Senator from Pennsylvania in supporting the amendment which it is anticipated will be offered by the Senator from Delaware on tomorrow.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. Yes, I yield.

Mr. CLARK. I congratulate the Senator from West Virginia on the statement he has just made. Pennsylvania, like West Virginia, is a State where coal mining has been the backbone of our economy. It has fallen upon perilous times, but is now staging somewhat of a comeback. I hope very much that the coal industry and the unionized miners who work in that industry in my State, in both hard coal and soft coal, will be able to look forward to more prosperous days ahead.

If there is a real threat that the atomic energy program is, in fact, as the Senator from West Virginia suggests, creating a serious danger to the health and well-being, and perhaps the lives, of millions of Americans, it certainly is time to stop, look, and listen. It seems to be essential that we assure ourselves, before we move forward with the development of the peaceful uses of atomic energy by build-

ing a large number of atomic reactors, that we are not, by so doing, endangering the lives of untold thousands of our fellow citizens.

Mr. BYRD of West Virginia. I thank the Senator from Pennsylvania.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, before moving to adjourn, I ask the distinguished Presiding Officer, what is the pending business?

The PRESIDING OFFICER. The pending business is H.R. 11641, an act making appropriations for certain civil functions administered by the Department of Defense and other departments and agencies.

Mr. BYRD of West Virginia. Is it correct that the bill will be open for further amendment on tomorrow?

The PRESIDING OFFICER. The Senator is correct. The bill will be open for further amendment tomorrow.

Mr. BYRD of West Virginia. I thank the Presiding Officer.

ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate today, I move, in accordance with the previous order, that the Senate stand in adjournment until 12 noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 41 minutes p.m.) the Senate adjourned until Tuesday, October 10, 1967, at 12 noon.

NOMINATION

Executive nomination received by the Senate October 9, 1967:

U.S. ATTORNEY

Asher E. Schroeder, of Iowa, to be U.S. attorney for the northern district of Iowa for the term of 4 years, vice Donald E. O'Brien, resigned.